

C O P Y.

in opinion

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August 6, 1957

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CONCORD, N.H.

Honorable Fred B. Smith
Associate Justice
Plaistow Municipal Court
Plaistow, New Hampshire

Dear Judge Smith:

Your letter of August 5, 1957, raises the question whether a Municipal Court, having found the owner of a power boat guilty of an offense against the laws relating to navigation, may thereupon suspend or revoke his boat registration.

It would seem to me highly desirable that a Municipal Court should have this power in connection with the determination of a case brought before it. To couple revocation or suspension with the imposition of a fine might well have a salutary effect upon the operation of boats upon our crowded waterways.

However I find the following to be the only provision in our statutes relative to the revocation of boat registrations:

"Revocation of Registration. The commission, after hearing, may revoke the registration of any boat or outboard motor issued pursuant to the provisions of this chapter for violation of any section hereof or the rules and regulations hereunder prescribed by the commission, or whenever it shall appear upon complaint of the selectmen or any tax collector of any town that the owner has failed, after demand, to pay any property tax upon the same which shall be due the town." RSA 270:16.

Your inquiry, then, must be answered in the negative - the power of revocation or suspension resides solely in the Public Utilities Commission.

With every good wish.

Cordially,

Louis C. Wyman
Attorney General